

# MANDATE

S.D.N.Y. – N.Y.C.  
19-cv-5491  
Engelmayer, J.  
Netburn, M.J.

## United States Court of Appeals

FOR THE  
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 16<sup>th</sup> day of January, two thousand twenty-four.

Present:

John M. Walker, Jr.,  
Susan L. Carney,  
Steven J. Menashi,  
*Circuit Judges.*

USDC SDNY  
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Alexander Norris, DBA Webcomic Name,

*Plaintiff-Counter-Defendant-Appellee,*

v.

23-1324

Golden Bell Studios, LLC, et al.,

*Defendants-Counter-Claimants-Appellants.*

Appellee moves to dismiss this appeal for lack of jurisdiction. Upon due consideration, it is hereby ORDERED that the motion is GRANTED and the appeal is DISMISSED. This Court lacks jurisdiction because a final order has not been issued by the district court as contemplated by 28 U.S.C. § 1291 and there is no other basis for an immediate appeal. *See Petrello v. White*, 533 F.3d 110, 113 (2d Cir. 2008); *Petereit v. S.B. Thomas, Inc.*, 63 F.3d 1169, 1175 (2d Cir. 1995) (“A judgment fixing liability without a calculation of damages — unless their computation is merely ministerial in nature — is not an appealable final order.”).

FOR THE COURT:

Catherine O’Hagan Wolfe, Clerk of Court

A True Copy

Catherine O’Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

Catherine O’Hagan Wolfe



Catherine O’Hagan Wolfe

MANDATE ISSUED ON 02/08/2024